V. REMARKS

Entry of the Amendment is proper under 37 C.F.R. §1.116 because the Amendment: a) places the application in condition for allowance for the reasons discussed herein; b) does not raise any new issue requiring further search and/or consideration because the Amendment amplifies issues previously discussed throughout prosecution; c) does not present any additional claims without canceling a corresponding number of finally rejected claims; and d) places the application in better form for appeal, should an Appeal be necessary. The Amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. The amendments to the subject claims do not incorporate any new subject matter into the claims. Thus, entry of the Amendment is respectfully requested.

Claims 7-10 are objected to under 37 CFR 1.75 (c) as being of improper dependent form. The claims are amended to obviate the objection. Withdrawal of the objection is respectfully requested.

Claims 7-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. The claims are amended to obviate the rejection. Withdrawal of the rejection is respectfully requested. The claims are amended to overcome the rejection. Withdrawal of the rejection is respectfully requested.

Claim 6 is rejected under 35 U.S.C. 103(a) as unpatentable over Kimber et al. (U.S. Patent No. 6,068,614). Claim 6 is rejected under 35 U.S.C. 103(a) as unpatentable over Hirschman et al. (U.S. Patent No. 6,042,565). The rejections are respectfully traversed.

In Kimber, "1/4" in the claims is a feature for avoiding Minks et. at, cited in the previously-filed amendment. Kimber et. al, may describe "1/4" but as stated in the previously-filed amendment, the rib at the rear of the ring 32 in Kimber et al. is not in contact with the inner surface of the syringe barrel. Further, the ring 33 in Kimber et al. is intended for preventing the coming-off from the collar 31 formed at the rear end of the syringe barrel, and Kimber et al. do not describe that this ring 33 has an outside diameter large enough to be in contact with the inner surface of the syringe barrel.

Kimber et al. assume the structure in which the plunger 28 does not come off the syringe barrel and the piston 3 is attached to the tip of the plunger 28 originally. Aligning the position of the plunger relative to the gasket is not necessary in Kimber et. al.

The Examiner seems to have determined that designing the ring 33 or the like in the same size as the inside diameter of the barrel is obvious, based on the idea that "it is necessary to ensure sealability between the plunger and the barrel".

However, sealability in the syringe is ensured definitely by close contact between the gasket and the barrel. In the structure in which no alignment of the position of the plunger relative to the gasket is not performed as in Kimber et al., it is not necessary to form the ring 33 or the like in the same size as the inside diameter of the barrel. The ring 33 in Kimber et al. only needs to have a size so as not to come off the collar 31 at the rear end of the syringe barrel.

In the plunger in Hirschman et al., the member 40 is not a screw part. In Hirschman et al., the member 45 is fitted into the channel 150. A spiral groove suggesting the screw part is not described in Hirschman et al.

A piston is originally attached to the tip of the plunger also in Hirschman et al., and the object to prevent the displacement of the plunger when it is attached to the gasket is not anticipated in Hirschman et al. either.

At least for the reasons set forth above, withdrawal of the rejections is respectfully requested.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: March 24, 2006

By: _____
Carl Schaukowitch
Reg. No. 29,211

RADER, FISHMAN & GRAUER PLLC
1233 20th Street, N.W. Suite 501
Washington, D.C. 20036
Tel: (202) 955-3750
Fax: (202) 955-3751
Customer No. 23353

Enclosure(s): Amendment Transmittal